

Child agency rebuked by judge

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1-4-13

Limiting access to data on youngsters' deaths violates the law, ruling says.

BY GARRETT THEROLF

A San Diego judge has struck down state child welfare regulations that significantly limited public access to information about minors who die from abuse and neglect.

In a stern rebuke, San Diego County Superior Court Judge Judith F. Hayes said the restrictions were "inconsistent and in conflict" with a law meant to greatly expand disclosures.

The Dec. 28 decision came in a lawsuit against the California Department of Social Services and its director, Will Lightbourne. An agency spokesman said Thursday that Lightbourne has not decided if he will appeal the ruling.

When the Legislature passed that law in 2008, members said they hoped policymakers and the public would use the resulting information to better identify flaws in the states' child welfare system that contribute to fatalities. Indeed, the limited information that has since emerged led to improvements in social worker training and information systems.

But Hayes said the regulations subverted the law's intent by limiting disclosure to cases in which officials determined that children died directly at the hands of their natural parents, guardians

[See Deaths, AA4]

Court rules against child agency

[Deaths, from AA4]
or foster parents.

The regulations, introduced by former social services Director John Wagner and firmly upheld by Lightbourne despite objections from child advocates, had the effect of excluding deaths at the hands of other people, including extended relatives and parents' boyfriends or girlfriends.

The regulations also caused the exclusion of cases in which abuse was not the sole factor directly causing the death, including suicides involving children who said they were taking the action to end the abuse of their parents.

Furthermore, the regulations prevented child welfare agencies from releasing case files if there was an objection from the district attorney, but the judge noted that this restriction was also not specified in the law.

Hayes' Dec. 28 ruling called the regulation arbitrary and capricious, and said "the restrictions lead to underreporting or inconsistencies in the reporting of child abuse cases involving fatalities."

Los Angeles County and other jurisdictions have struggled to interpret the regulations. As a result, local officials have implemented the law inconsistently, making comparisons of fatality numbers from one year to the next less meaningful.

Steve Keane, an attorney who joined with the Children's Advocacy Institute at the University of San Diego Law School to argue the case, said the judge's ruling should clear up disclosure standards.

If authorities determine abuse or neglect at the time of a child's death, the details will be made public, he said. Los Angeles County's child welfare chief, Philip Browning, said he welcomed such a standard even though it would mean social workers will be required to acknowledge more deaths of children who had been under the department's watch.

"I'm a firm believer in having the regulations be very clear," Browning said Thursday. Browning said he hoped to spend less time in high-level deliberations discussing whether a case should be disclosed publicly and more time improving systems to prevent future deaths.

"We're going to make mistakes and we are going to just have to own up to them," Browning said. Lightbourne's nearly two-year tenure in the state post has previously attracted controversy.

After he was appointed by Gov. Jerry Brown in 2011, reporters learned that Lightbourne had been hired under an unusual arrangement designed to skirt a state law that established a lower wage for his job.

Lightbourne continued to be paid by Santa Clara County, where he previously served as child welfare chief, and the state reimbursed the county for the full amount. Months later, however, the contract was canceled and he became a state employee subject to the salary cap.

Before taking the state post, Lightbourne had applied to lead Los Angeles County's Department of Children and Family Services. But some officials cooled on his candidacy when he disclosed prior marijuana use, according to two sources involved in the selection process.

Although the officials noted that attitudes on marijuana use have relaxed significantly in California, drug use is often a factor in decisions to remove children from their families.

"Director Lightbourne truthfully and directly answered questions regarding his personal background, including the disclosure of marijuana use as a young man," his spokesman said Thursday.

Long Beach chief may take on Baca

1425 2-5-13 LA Times
BY ROBERT FATURECHI
AND JACK LEONARD

Since Lee Baca became Los Angeles County sheriff 15 years ago, defeating an incumbent who died days before the vote, he has never faced a serious challenge for reelection to one of California's top law enforcement jobs.

But after a series of scandals and federal investigations targeting the department, that might be changing.

Long Beach Police Chief Jim McDonnell said Monday that he was considering a run against Baca next year. McDonnell's public exploration

suggests potential political vulnerabilities amid nearly two years of bad headlines, experts said.

McDonnell, who served as second in command to Los Angeles Police Chief William J. Bratton before moving to Long Beach, would be the most formidable challenger Baca has yet to face. He was on a county commission that recently excoriated Baca's leadership, depicting him as a disengaged and uninformed manager who failed to stop jailhouse abuse and would have been fired in the private sector.

In an interview, McDonnell said he could offer "a fresh look" at the agency and

[See McDonnell, A8]

McDonnell mulls run for sheriff

Wes 2-5-13 LA Times

[McDonnell, from A1] reforms that "would make a big difference for ... the image of the department." He declined to discuss Baca's record, saying he wanted to speak to the sheriff first. But as a member of the commission, McDonnell had harsh words for Baca's stewardship of the agency.

McDonnell's announcement comes as Baca begins raising funds for the 2014 election, making a bid for what would be a fourth term. The campaign begins as federal authorities have launched an investigation into allegations that jail workers abused inmates and another over whether deputies harassed minorities in the Antelope Valley. The jail investigation has already resulted in criminal charges against one deputy, and federal prosecutors have not given a timetable about when the probe will be completed.

Despite these problems, political experts said knocking the four-term sheriff from his post would be a challenge. Baca, 70, is well-known within the county, and has drawn support from a diverse set of ethnic groups and community leaders. Baca has gained a reputation for progressive law enforcement views, such as helping the homeless and providing education for jail inmates.

His spokesman said he's already lined up endorsements from the governor, former L.A. County Dist. Atty. Steve Cooley, Supervisor Zev Yaroslavsky and Bratton.

Raphael Sonenshein, executive director of the Pat Brown Institute of Public Affairs at Cal State L.A., noted that sheriffs have traditionally served with little risk of being unseated, but that Baca has recently weathered "an unusual amount of criticism."

"If ever there was a time when a sheriff might be in a certain amount of peril, this would be the time," Sonenshein said.

But Baca, he said, has more than a year before the election to show he's made headway in fixing the department's problems. "He has the advantage of an incumbent," Sonenshein said. "He can show himself to be in charge over the next year."



GINA FERAZZI Los Angeles Times

LONG BEACH Police Chief Jim McDonnell was a top deputy to William J. Bratton in L.A.

probes, Baca had been under fire for giving special treatment to friends and supporters, including launching "special" criminal investigations on behalf of two contributors. The department attracted further attention following disclosures of a secret clique of elite gang deputies, who allegedly sported matching tattoos and celebrated shootings.

Baca's spokesman, Steve Whitmore, said the sheriff has listened to the criticism, and is responding. Last year, the sheriff announced a sweeping jail reform plan aimed at curbing abuses and improving accountability.

"The Sheriff's Department is probably in the best shape it has ever been," Whitmore said. He added that Baca is unconcerned about the potential challenge from McDonnell. "It doesn't faze him.... It's not a threat. There's no threat here."

A recent poll found that 52% of likely voters disapproved of the sheriff's job performance, with just 38% approving. But when voters were asked whether they had a favorable view of Baca, the sheriff fared better, with 43% saying they did, compared with 24% who had an unfavorable view. The poll was conducted by district attorney candidate Alan Jackson's campaign, which asked likely voters about several local politicians, including Baca, who had endorsed Jackson's opponent.

McDonnell declined to say when he would make his decision, saying he was still consulting with his family and "trying to get the pulse of the county." He said that if he did run, his reforms "would make a big difference

in the quality of services and the image of the department."

McDonnell has eyed higher office before. He was a finalist to replace Bratton, but lost out to Charlie Beck. Seven years earlier, as a candidate for LAPD chief in 2002, McDonnell presented a blueprint for community-based policing that was later adopted by Bratton and served as the foundation for overhauling the organization in the wake of the Rampart corruption scandal.

During his tenure with the LAPD, McDonnell was tasked with helping the department build bridges with the city's diverse communities and political leaders. Colleagues within the LAPD have described him as a gracious, well-liked leader.

Even if McDonnell decides not to run, Baca, who ran unopposed in 2010, will face at least one challenger next year. Little-known LAPD Det. Lou Vince confirmed Monday that he is running, blasting Baca for the scandals he's faced in recent years.

"Seriously? There's no cameras in Men's Central Jail? It takes the media to tell him that?" Vince said, referring to cameras the county had purchased to monitor the jails, but the department had been slow to install.

Fred Register, a longtime Democratic political consultant, said that no matter who runs against Baca, the sheriff comes to any political fight with enviable name recognition.

That leaves any challengers facing long odds unless they can raise millions of dollars to pay for a countywide television ad blitz. Baca has probably been hurt by the jail abuse scandal, he said, but the welfare of inmates and protecting them from excessive force is unlikely to resonate enough to undermine his chances of winning reelection.

"The kind of things that would be more likely to hurt a sheriff," Register said, "would be a perception of corruption or graft or some catastrophic failure that threatens people's public safety."

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Mother 2-1-83 target of past abuse probes

BY ANN M. SIMMONS
AND GARRETT THEROLF

Long before Ingrid Brewer was charged with torturing her children, one of them told a social worker that she was scared.

After visiting Brewer's Palmdale home while assessing her application to adopt the children, the social worker reported that the girl, now 7, and her half brother, 8, appeared stiff in Brewer's presence and had to ask permission to do anything.

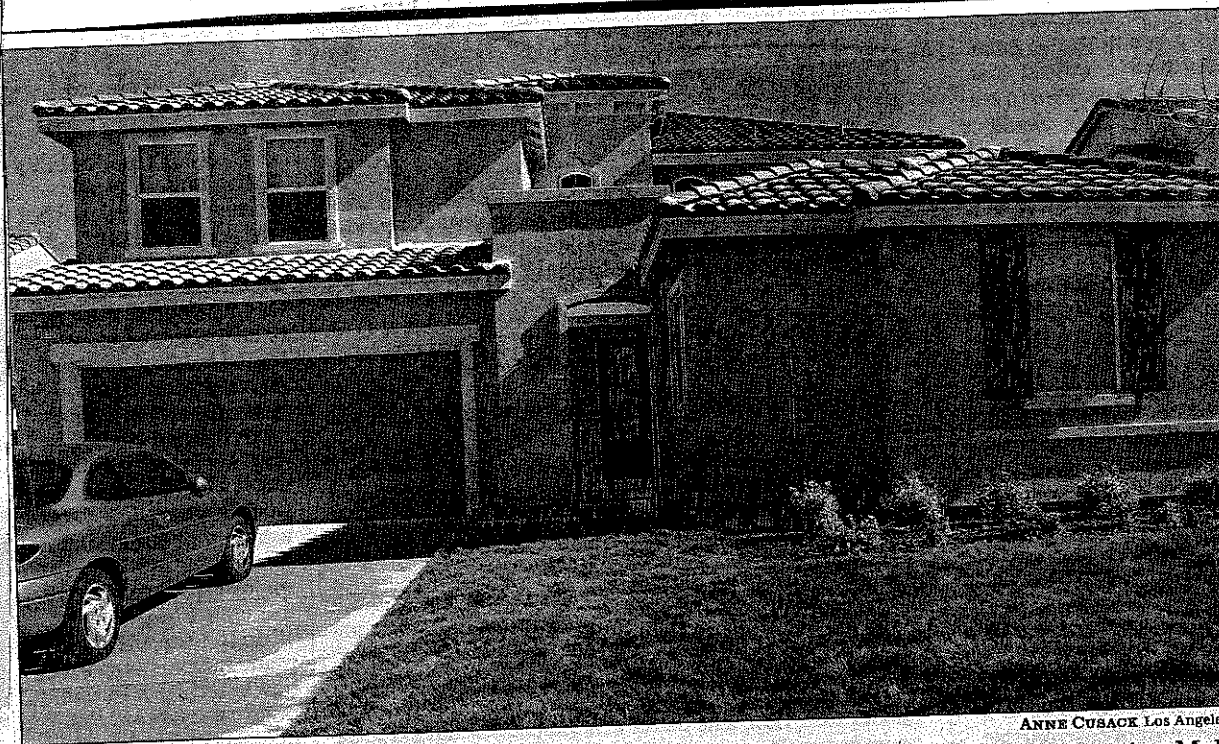
Despite that report, the Los Angeles County Department of Children and Family Services looked no further and contact with the family was soon terminated.

Even before the adoption was finalized, the county's own files contained at least nine investigations of alleged abuse involving Brewer going back a dozen years, according to a person familiar with the investigation who provided a detailed account to The Times.

Philip Browning, who has led the department as its permanent director for less than a year, said he could not explain why Brewer, a nursing assistant, was allowed to adopt the children — but he was deeply disappointed that the system appeared to have failed. Multiple workers involved in the case, he said, have been placed on desk duty pending possible disciplinary action.

"This is a very serious situation," Browning said. "There is a thorough investigation that is going to be conducted to determine what happened, why it happened and how it happened."

Brewer was arrested last month after the boy and girl



ANNE CUSACK Los Angeles

THE HOME in Palmdale where Ingrid Brewer lived with two children she is charged with torturing. Multiple social workers involved in the case have been placed on desk duty pending possible disciplinary action.

Fr 2-1-13 LA Times

Years of abuse allegations

[Abuse, from A1]
beaten on a Palmdale street without winter clothes, huddled under a blanket in 20-degree weather.

They had run away because they were "tired of being tied up and beaten," said Los Angeles County Sheriff's Sgt. Brian Hudson of the Special Victims Bureau.

The children told deputies that Brewer had locked them in bedrooms when she went to work, bound their hands with zip ties and beat them with electrical cords and a hammer, Hudson said.

They had been deprived of food and forced to use wastebaskets as toilets. Both had injuries consistent with the alleged abuse, Hudson said.

When detectives interviewed Brewer, she told them the children were punished for stealing food. The case "even shocked some of our most veteran children's case workers," Hudson said.

Brewer pleaded not guilty to eight felony counts, including torture, cruelty and assault with a deadly weapon at her arraignment Jan. 18. Her attorney, alternate public defender Hung Phi Du, declined to comment.

After Brewer's arrest, county investigators uncovered a history of child maltreatment investigations involving Brewer going back to 2001, when callers to a hotline twice reported that she was abusing her two biological children. Both times, social workers concluded that the allegations were unfounded.

In 2006, Brewer was recruited by a private agency called Aspiranet. Based in South San Francisco, the contractor is one of the



KTLA-TV Channel 5

INGRID BREWER
pleaded not guilty to torture and assault with a deadly weapon.

state's largest foster care providers, serving 2,000 children a year.

Aspiranet placed 23 children in Brewer's care over the next five years, among them the half siblings she ended up adopting.

The children's mother had been found to be suffering from schizophrenia and depression. They came to Brewer in 2009; it was their fourth foster home.

During Brewer's five years as a foster parent, the county child-abuse hotline received at least seven calls from people alleging that she was mistreating children, including the half siblings.

The allegations, involving eight children, included emotional abuse, belt whippings and pinches that left marks on a child's neck, according to the source.

Each time, social workers determined that the allegations were inconclusive or unfounded, though their reports said some of the children had visible injuries.

The county and Aspiranet began proceedings to allow Brewer to adopt the half siblings when a court terminated their biological parents' rights.

Aspiranet conducted a home study to confirm her suitability.

The county affirmed Aspiranet's positive appraisal and successfully petitioned the court for approval.

Aspiranet's chief executive, Vernon Brown, noted in a prepared statement that schools, therapists, physicians and other professionals also had contact with the family over the time that Brewer was one of his agency's certified foster mothers.

"The support provided met all standards of practice," he said.

During the weeks leading up to adoption, Brewer expressed ambivalence about becoming the children's parent, according to records reviewed by the source.

Children's services held three meetings with her to discuss her inability to bond with them and handle their behavior problems.

Child welfare workers often strive to make foster parents into adoptive parents to give children a more stable home.

The alternative, moving them along to the next foster home, is hard on children and often might not be feasible because of the perennial shortage of foster families.

During the visit to Brewer's home in January 2011, the social worker noted that Brewer did not refer to the half siblings as her children. The boy had no toys in the house, and occupied himself by picking lint off the carpet, according to reports described by the source.

But no investigation was begun and social workers soon ended their visits. Brewer continued to receive monthly financial support for the children's care.

Browning, an adoptive parent, said he believes the process is thorough.

"Standards are in place,"

he said. "There are always going to be individual workers, [foster family contractors] and parents who get out of the standards."

A neighbor in the Los Angeles apartment building where Brewer lived until she moved to Palmdale early last year said the half siblings appeared fearful and inhibited.

They never laughed or smiled, said LaVonne Griffiths, 60, who lived in the unit above Brewer in the three-story apartment building.

Griffiths said she called the county hotline and reported that she had seen Brewer slap the boy and tell him to shut up after he complained that he was cold.

The neighbor didn't know if her complaint prompted an investigation, she said. She only knew that the children remained in Brewer's care.

After Brewer's arrest, the children were sent to a new foster home.

"If we have done something wrong, we'll have to be responsible for that," Browning said.

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Sheriff curbs campaign donations

Lee Baca says he will no longer accept funds from employees of his department.

BY ROBERT FATURECHI

Los Angeles County Sheriff Lee Baca told his deputies Thursday that he would no longer accept campaign contributions from department employees, according to an internal memo obtained by The Times.

Baca also said other sheriff's managers who run for an elected office would be barred from making employment decisions affecting employees who have donated to their campaigns.

Baca's announcement comes amid concerns that campaign contributions to sheriff's brass by department employees created potential conflicts of interest in promotions and other personnel decisions.

"It is the responsibility of every member [of the department] to avoid any situation which may pose a conflict of interest," the sheriff wrote in his memo.

Baca and his second in command, Undersheriff Paul Tanaka, who is also mayor of Gardena, have over the years accepted thousands of dollars in contributions from department employees.

For years, allegations of favoritism based on political contributions have dogged the Sheriff's Department.

A 2006 Times analysis found that of the sheriff's

[See Baca, AA6]

Baca to stop taking workers' donations

[Baca, from AA1] managers who gave to Baca, 73% received promotions, while of those who did not contribute, 26% received promotions.

The sheriff received at least \$97,850 in contributions to his campaign committee from department donors from 1999 to 2011, according to a report issued last year by a county commission created to examine jail violence.

The commission also found that Tanaka received more than \$108,311 for his city of Gardena political campaigns from 1998 to 2011. Tanaka's acceptance of such donations was the subject of reports by WitnessLA, a website dedicated to social justice news.

Several sheriff's officials told the jail commission that there was a perception within the department that contributions, to Tanaka in particular, were key to getting promoted. One captain testified that he got a call from another sheriff's employee who was soliciting donations for Tanaka's mayoral campaign, and that the employee informed him that captains were "expected" to give \$250.

Creating a formal policy to address campaign contributions was among the recommendations the jail commission put forth last year.

"Honesty, integrity and fairness are enduring principles and serve as the foundation for our department's core values," Baca wrote in



FRANCINE ORR Los Angeles Times

SHERIFF Lee Baca got \$97,850 from department donors from 1999 to 2011.

the memo. "These principles ... can be tested when exposed to the dangers posed by a conflict of interest. A conflict of interest — either real or perceived — can have a lasting impact and lead to a disruption in the workplace."

He added that "the expectations placed upon our leaders are greater than at any other time in our department's long, rich history. Please join me as together we embrace the opportunities that lie ahead. Nothing less than the public's trust is at stake."

Baca's spokesman, Steve Whitmore, said campaign contributions have never affected personnel decisions, but the new policy would prevent the perception that they do.

Whitmore said he doesn't think Baca would return the campaign contributions he has received from his employees over the years.

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Hospital metal detectors work

WED 2-6-13
Re "Hospitals shedding metal detectors," Feb. 3

I well remember the 1993 shooting of emergency room physician Richard May at Los Angeles County/USC Medical Center. I was the trauma anesthesiologist and staff physician on duty that day who took care of May.

With an armed L.A. County sheriff's deputy escort, I took him unconscious and intubated from the ER to his CT scan, provided anesthesia in the

operating room and finally delivered him to the neurological intensive care unit.

I was there, months later, when he suddenly emerged from a coma, causing one neurosurgeon to say, "Now I believe in miracles."

It will truly be a miracle if the hospital escapes another shooting after the administration removes the metal detectors from the public entrance. Gun violence is endemic to Los Angeles. Keep the metal detectors and save a few more lives.

WILLIAM LOSKOTA, MD
Los Angeles

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With the shooting last month of a physician in his own Newport Beach exam room, I was reminded of the killing many years ago of our director of nurses by an employee who was terminated.

I also remember a patient who dropped her bag in the waiting room of our emergency department (not a county hospital), at which time a loaded gun fell out of her purse.

I can sympathize with the two physicians who were wounded at L.A. County hospital. The metal detectors would give me peace of mind as a patient or as a treating physician.

HARRY SHRAGG, MD

LA Times Reseda

county sheriff's captains retire

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Thur 1-3-13

Both have been at the center of controversy over allegations of misconduct.

By ROBERT FATURECHI

Two embattled Los Angeles County sheriff's captains have retired, including one suspected of funneling secret information to an alleged drug trafficker and another who allegedly protected brutal and dishonest jailers.

Suspicion was sparked about Bernice Abram, who ran the sheriff's Carson station, after she was overheard on a federal narcotics wiretap talking to an alleged Compton drug trafficker. Abram, who had more than 150 deputies under her command, was overheard alerting a member of the Original Front Hood Crips to planned sheriff's operations in his area.

The district attorney's office chose not to file charges against her, saying they couldn't prove she knew the man was involved in illegal activities, but a prosecutor's memo showed Abram was using her post to help the gang member avoid law enforcement scrutiny.

In one call, after the alleged drug trafficker was arrested by a sheriff's deputy, Abram was overheard ensuring him that the case wouldn't be filed. "I told someone he'd better take care of it," she told him.

Abram met the gang member, Dion Grim, after she began dating his father. Grim has since been arrested by federal authorities, who accused him and members of his alleged ring of moving drugs across the country. Grim has pleaded not guilty.

Abram has repeatedly declined to comment to The Times except for one in

Embattled sheriff's captains retire

ptains, from AA1] s lockup when sheriff's als said there were oblems with deputy ies and inmate abuse. nternal memos ob- ed by The Times found Cruz's jailers crafted atives "dramatized to fy" force. Authorities luded that some con- tations with inmates r triggered by deputies thought inmates had d disrespectfully to

them — showing "contempt of cop." Other documents showed that the department had some of its least experienced deputies guarding its most dangerous inmates on the third floor of the Men's Central Jail, a practice the memo linked to more frequent clashes on that floor than in any other part of the jail.

During Cruz's tenure, sheriff's officials said an aggressive, gang-like clique

formed on the third floor. The group's existence became public after some of its alleged members fought co-workers at a department party.

In testimony before a county commission created as a result of the jail abuse scandal, Cruz was accused of protecting violent jailers. One of his former lieutenants testified that Cruz resisted rooting out jailer misconduct and allowed force

investigations to languish. The lieutenant alleged that, during a toast at a department Christmas party, the captain even joked about hitting inmates.

In another instance, the lieutenant described a roomful of supervisors watching footage of deputies beating an inmate. The video showed one jailer casually leaning against a door frame, occasionally landing knee drops into the prisoner's torso. The lieutenant said Cruz turned to the other jail supervisors and said: "I see nothing wrong with that use of force."

The lieutenant also said that after jailers got into an off-duty brawl with patrons at a brew house in West Covina, Cruz told him, "Don't look too hard" into what had happened.

In an interview with The Times last year, Cruz — on leave at the time during an internal investigation — said the allegations were untrue, but he declined to go into specifics. He accused his

critics of wanting "to be in the limelight" and said he looked forward to returning to work.

But reached last month, Cruz said he could not "confirm or deny" that he was retiring, telling a Times reporter "it's none of your business ... it's not anyone's business."

Cruz's retirement marks the third top sheriff's official who has left the department after being implicated in the jail abuse scandal that broke out in 2011. An FBI investigation into deputy misconduct in the jails is ongoing.

Because neither Cruz nor Abram has been convicted of a crime, both are now expected to receive their taxpayer-funded pensions. Sheriff's spokesman Steve Whitmore declined to comment on whether the captains retired because of the allegations against them.

"Both performed admirably," he said, "when you look at the entire career."

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